

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*,

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Plaintiffs

V.

EP-21-cv-00259-DCG-JES-JVB
[Lead Case]

GREG ABBOTT, in his official capacity as Governor of the State of Texas, et al.,

&

Defendants.

All Consolidated Cases

ORDER TO RESPOND TO DEFENDANTS' MOTION TO STRIKE

Defendants moved to:

- (1) strike certain portions of Dr. Moon Duchin's testimony; and
- (2) have the Court draw an adverse inference regarding certain analysis that Dr. Duchin allegedly failed to disclose before testifying.

ECF 1068. Given the importance of Dr. Duchin's testimony, the Court is uncomfortable ruling on Defendants' motion without written briefs that analyze the applicable caselaw and the relevant portions of Dr. Duchin's pretrial disclosures.

Any Plaintiff Group who opposes Defendants' motion **SHALL** file a written response brief by **5:00 p.m. on Tuesday, June 10, 2025.**

Defendants **MAY** file a written reply brief by **11:59 p.m. on Tuesday, June 10, 2025**. The Court reserves the right to rule on Defendants' motion without awaiting a reply.¹

So ORDERED and SIGNED this 9th day of June 2025.

¹ See W.D. TEX. L.R. CV-7(E)(2) (“The court need not wait for a reply before ruling on a motion.”).



JERRY E. SMITH
U.S. CIRCUIT JUDGE

And on behalf of:

David C. Guaderrama
Senior United States District Judge
Western District of Texas

-and-

Jeffrey V. Brown
United States District Judge
Southern District of Texas